

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LEON D. SEARLES, JR.,

Plaintiff,

v.

NICHOLAS B. BARRETT,
WASHINGTON STATE BAR
ASSOCIATION, JOSEPH BRUSIC,
and YAKIMA COUNTY FOR
SUPERIOR COURT OF
WASHINGTON STATE,

Defendants.

NO: 1:23-CV-3024-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

BEFORE THE COURT is Plaintiff Leon D. Searles, Jr.'s Motion to Voluntarily Dismiss Complaint, ECF No. 13. Because Defendants have neither filed an answer nor moved for summary judgment, Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

Although granted the opportunity to do so, Plaintiff did not file a separate Motion and Affidavit (or declaration under penalty of perjury) to waive collection

1 of the remaining balance of the filing fee as directed. Therefore, Plaintiff still is
2 obliged to pay the full \$350.00 filing fee for this action pursuant to 28 U.S.C. §
3 1915(b).

4 **ACCORDINGLY, IT IS HEREBY ORDERED:**

5 All claims and causes of action in this matter are **DISMISSED** without
6 prejudice and without costs or fees to any party.

7 The District Court Executive is directed to enter this Order and Judgment
8 accordingly, and furnish copies to Plaintiff, and **CLOSE** the file.

9 **DATED** June 1, 2023.



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Thomas O. Rice
THOMAS O. RICE
United States District Judge